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FM AMEMBASSY JAKARTA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 8582
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS PRIORITY
RUEHBY/AMEMBASSY CANBERRA 2277
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C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 000696

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SUBJECT: LIFE SENTENCE FOR RAISING SEPARATIST FLAG

JAKARTA 00000696 001.2 OF 002

Classified By: Pol/C Joseph Legend Novak, reasons 1.4 (b+d).

11. (U) This message was coordinated with ConGen Surabaya.

12. (C) SUMMARY: A district court in eastern Indonesia has sentenced a man to a life sentence on treason charges for waving a separatist flag in front of President Yudhoyono in June 2007. The separatist South Maluku Republic (RMS) flag incident was extremely embarrassing for the President and raised security concerns, another likely reason for the stiff sentence. The harsh sentence represents a warning shot aimed at separatist groups that similar activities will not be tolerated by the GOI. END SUMMARY.

A HARSH SENTENCE

13. (U) Ambon District Court on April 4 sentenced Johan Teterisa, age 45, to life for waving the separatist RMS flag in front of President Yudhoyono on June 29, 2007. With time off for good behavior, the sentence could possibly be reduced to a short as twenty years and there are still chances for appeal.

AN EMBARRASSING INCIDENT

14. (C) A court official told the media at the time of sentencing that 19 others had been sentenced between 10 and 20 years for their part in the incident, in which a dance troupe suddenly unfurled the flag in front of Yudhoyono during a Family Day ceremony in Ambon. Displaying separatist flags is an extremely sensitive issue for the GOI but the fact that the group succeeded in doing so in front of the President was considered an embarrassing security breach. Yudhoyono was said to be livid. Military and police officials were replaced over of the incident. This sentence also comes weeks before the annual April 25 RMS anniversary date, a day which always makes officials nervous.

HUMAN RIGHTS GROUPS CRITICAL

15. (C) A human rights observer with the national NGO Imparsial, Poengky Indarti, told DepPol/C that twenty years is probably the longest sentence ever given for displaying separatist flags under the colonial-era treason law Number 106. She theorized this sentence was meant to be "shock therapy" to warn off separatist movements in hotspots such as Maluku and Papua. In separate comments, Asmara Nababan, former secretary-general of the National Human Rights Commission, told the media that judges overreacted because the act never threatened the President. Antonius Sujata, a former attorney general, called the treason charge and life sentence "emotional, political and nonsense."

16. (C) Imparsial also worried about how Draconian treason penalties might affect Papuans, which also has a tradition of displaying separatist flags. The group will consult with Papuan human rights activists on the ramifications of this ruling. (Note: In February, Papuan human rights activists showed DepPol/C pictures of recent Papuan demonstrations in which Papuans displayed the Israeli flag instead of the Papuan flag in a cynical defiance of authority. GOI officials did not react in this incident, though they have in other incidents.)

A WARNING SHOT

17. (C) On its face, the sentence is embarrassing to Indonesia. As noted, it no doubt represents a warning shot aimed at separatist groups that similar activities will not be tolerated by the GOI. Human rights groups have served notice that they plan to try to get rid of the colonial era treason law under which the sentence was handed down, but any such effort will take time.

JAKARTA 00000696 002.2 OF 002

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